Implementation of Critical Biodiversity Areas in the Landscape: Beyond Legislated Protected Areas

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Critical Biodiversity Areas

- Minimum, most efficient set of areas national biodiversity thresholds
- Terrestrial and freshwater Biodiversity pattern and ecological process thresholds
- Land use objectives
  - Same objective as for protected areas

Protected Area Expansion Strategy

- Aimed at a sub-set of the highest priority CBAs for protection through conservation in terms of NEM:PAA
Strategic Goal C: To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity

Target 11
By 2020: 17% of terrestrial and inland water, and 10% of coastal and marine areas

Current international: 13% of land and 1.6% of our oceans
Protected Area Expansion Mechanisms

- Historically: state land purchase primarily (& no PAES)
- Currently: core strategy - stewardship
  - majority conservation-worthy (and under-represented) biodiversity on private land
  - cost-effective and feasible
- Limitation - capacity: both negotiating new sites and auditing signed up sites.
  - Need to expand the programme and/or identify additional partners
  - Therefore currently focused on TOP PRIORITIES
Conservation & development applications

Reactive Stewardship

- Not through proactive extension according to PAES
- Voluntary
- Trade-off (conservation in return for development rights)
- Costs to developer

Biodiversity Offsets

Securing habitat for conservation either on the development site or away from the development site

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On-site offsets or set asides

- Offset: to compensate for the loss of biodiversity on site
  - must conform to offset guidelines and requirements as a minimum
- Not an offset: conservation area part of development proposal but will not result in loss of biodiversity
  - on-site set asides
  - make application “more appealing” but not compensating for loss
  - does not need to conform to offset guidelines and requirements
- Securing the on site offset/set aside…:
  - PAES Priority – stewardship
  - Not PAES priority - ?
Non PAES Priority CBAs

- Land use applications (mainly EIA) – degree of protection
  - NEMA listed activities
  - Most development not supported
- Mainstream into SDFs
  - Municipality responsible
- Can be compromised through degradation, poor management etc..
- Opportunities arise through development applications
- Second tier of conservation areas below NEM:PAA protected areas
Current planning legislative trends do not encourage conservation on agricultural land – maximise food security

CBAs not formally protected under threat

Most highly threatened ecosystems in agriculturally productive land e.g. 3 Swartland Renosterveld (West Coast) & 4 Rüens Renosterveld (Overberg) vegetation types – all Critically Endangered (conservation targets already cannot be met)

Stewardship cannot get to all the small fragments & multiple landowners (all that is left)
Rezoning

- Role of planning legislation, zoning schemes and municipalities.
- Spatial Planning and Land Use Management Act (SPLUMA) and WC Land Use Planning Act (LUPA)
  - Competent authority: municipality
- Zonation provides protection from land use change
- Under WC Land Use Planning Ordinance (1983-date):
  - No rezoning out of Agriculture to Open Space III (conservation) without a stewardship agreement (contract nature reserve or biodiversity agreement)
    - Prevent additional building rights in rural areas
OPEN SPACE ZONES (OSZ)

OPEN SPACE ZONE III (OSZIII)

- Primary uses
  - Nature conservation area (non-statutory conservation)

- Consent uses
  - Harvesting of natural resources
  - Environmental facilities
  - Tourist facilities
  - Utility service
  - Environmental conservation plan for approval

OPEN SPACE ZONE IV (OSZIV)

- Primary uses
  - Nature reserve (statutory conservation)

- Consent uses
  - Tourist accommodation
  - Tourist facilities
  - Utility service.
Implications

- **OS IV/Nature Reserve**
  - Statutory protected area – national park or nature reserve under NEM:PAA
  - Well defined – continue status quo
  - State owned:
    - National Park (SANParks)
    - Provincial Nature Reserve (CapeNature)
  - Privately owned:
    - Stewardship Contract Nature Reserve (agreement with CapeNature/partner with CapeNature endorsement)

- **OS III/Nature Conservation Area**
  - Non-statutory protected area
  - Options (not yet defined):
    - State owned:
      - Municipal open space (nature reserve ONLY for S23 NEM:PAA PA)
      - State land - ?
    - Privately owned:
      - Stewardship Biodiversity Agreement/Voluntary Conservation Area (agreement with CapeNature/partner with CapeNature endorsement)
      - Private conservation area administered by municipality - ?
Municipal Capacity

- Implementation of zoning scheme
- Open Space III/Nature Conservation Area
- Capacity varies
- City of Cape Town – Biodiversity Management Branch
  - Stewardship
- Non-metro municipalities capacity more limited
  - Biodiversity may fall through the gaps
  - Planning approvals
    - Municipal Planning Tribunals
Adoption of WC Standard Draft Zoning Scheme By-Law

- Not obliged to adopt
- Two different conservation zonings supported
- Can still conserve biodiversity with other zonings:
  - Open Space (Public and Private)
  - Agriculture
  - Resort Zone III (Eco Housing)
- No security
Conclusion

- Primary Focus - need to ensure that protected area expansion is adequately resourced
  - CapeNature Stewardship
- Second-tier priority CBAs secured through zoning – close the gap
  - Strategy mainly reactive
- Capacitate municipalities
- Adapt approach according to regional capacity - ?
- Lower level conservation options should still conceivably contribute towards Aichi Biodiversity Targets (provided primary objective is conservation)
Experiences elsewhere??
Questions?
Thank you!

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